

**IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF MISSOURI  
EASTERN DIVISION**

<b>DAVID MURPHEY, and JESSICA MURPHEY</b>	)	
	)	
	)	<b>4:11-cv-418-NAB</b>
<b>Plaintiffs,</b>	)	
	)	<b>Magistrate Judge Baker</b>
<b>v.</b>	)	
	)	
<b>ENHANCED RECOVERY COMPANY, LLC.,</b>	)	
	)	
<b>Defendant.</b>	)	

**NOTICE OF VOLUNTARY DISMISSAL PURSUANT TO SETTLEMENT**

NOW COME the Plaintiffs, DAVID MURPHEY and JESSICA MURPHEY, by and through their attorneys, LARRY P. SMITH & ASSOCIATES, LTD., and for their Notice of Voluntary Dismissal, Plaintiffs state as follows:

1. Pursuant to Rule 41(a)(1)(A)(i) of the Federal Rules of Civil Procedure, Plaintiffs hereby notify this Honorable Court that the Plaintiffs voluntarily dismisses their case pursuant to a settlement agreement reached by the parties.
2. The Defendant in this case has filed neither an answer to Plaintiffs' complaint nor a motion for summary judgment.
3. Plaintiffs request that this case be dismissed with prejudice and without costs to any party, all costs having been paid and all matters in controversy for which this action was brought having been fully settled, compromised and adjourned.

Respectfully submitted,  
**DAVID MURPHEY &  
JESSICA MURPHEY**

By: s/ David M. Marco  
Attorney for Plaintiffs

Dated: June 3, 2011

David M. Marco (Atty. No.: 6273315)  
LARRY P. SMITH & ASSOCIATES, LTD.  
205 North Michigan Avenue, 40<sup>th</sup> Floor  
Chicago, IL 60601  
Telephone: (312) 222-9028 (x812)  
Facsimile: (888) 418-1277  
E-Mail: [dmarco@smithlaw.us](mailto:dmarco@smithlaw.us)